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Attorneys for Plaintiff
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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

U.S. EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)

Plaintiff,)

vs.)

LUCINDA MANAGEMENT, LLC,)
CENTENNIAL FOOD CORPORATION dba)
IHOP RESTAURANT, NELLIS FOOD)
CORPORATION dba IHOP RESTAURANT,)
VEGAS FOOD CORPORATION dba IHOP)
RESTAURANT, CHEYENNE FOOD)
CORPORATION dba IHOP RESTAURANT,)
CRAIG FOOD CORPORATION dba IHOP)
RESTAURANT, BAYSHORE FOOD)
CORPORATION dba IHOP RESTAURANT,)
DiHOP CORPORATION dba IHOP)
RESTAURANT, COOPER STREET CLAM &)
OYSTER BAR, LLC, and Does 1-5 Inclusive,)

Defendant.)

Case No.: 2:17-cv-02458-MMD-GWF

**SECOND JOINT STIPULATION TO
MODIFY THE TERMS OF THE
CONSENT DECREE**

1 **TO THE HONORABLE MIRANDA M. DU:**

2 Plaintiff U.S. Equal Employment Opportunity Commission (the “EEOC” or
3 “Commission”) and Defendants Lucinda Management, LLC, Centennial Food Corporation dba
4 IHOP Restaurant, Nellis Food Corporation dba IHOP Restaurant, Cheyenne Food Corporation
5 dba IHOP Restaurant, Craig Food Corporation dba IHOP Restaurant, Bayshore Food
6 Corporation dba IHOP Restaurant, DiHOP Corporation dba IHOP Restaurant, and Cooper
7 Street Clam & Oyster Bar, LLC (“Defendants”)(collectively, the “Parties”) hereby jointly
8 stipulate to modify the deadline in Sections VIII.A.2 of the Consent Decree in the above-
9 captioned case from April 11, 2019 to April 19, 2019.

10 Pursuant to Section VI.A of the Consent Decree, signed by this Court on February 19,
11 2019, terms of the Consent Decree may be amended or modified if made in writing, signed by
12 an authorized representative of the Parties, and approved by the Court. Section VIII.A.2 of the
13 Decree requires Defendants to send a check for back pay and/or a check for compensatory
14 damages for pain and suffering to the Identified Claimants within ten (10) business days of
15 receipt of the EEOC’s Distribution List. The EEOC provided its Distribution List to Defendants
16 on March 28, 2019. The current deadline for Defendants’ to send payments to the Identified
17 Claimants is April 11, 2019, as it is ten (10) business days from March 28, 2019. However,
18 due to certain logistical issues involved with issuing the settlement checks, Defendants seek an
19 additional week, up to April 19, 2019, to issue the checks to the Identified Claimants.
20 Therefore, the Parties agree that additional time is required for Defendants to comply with
21 Section VIII.A.2 of the Consent Decree.

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1 As such, the Parties stipulate and respectfully request that the deadline in VIII.A.2 of
2 the Consent Decree be extended until April 19, 2019.

3 **IT IS SO STIPULATED.**

4 Dated: April 3, 2019

Dated: April 3, 2019

5 U.S. EQUAL EMPLOYMENT
6 OPPURTUNITY COMMISSION

WILSON, ELSER, MOSKOWITZ, EDELMAN
& DICKER, LLP.

7 /s/ Nechole Garcia
8 Nechole Garcia
9 Nevada Bar No. 12746
333 Las Vegas Blvd. South, Suite 5560
10 Las Vegas, NV 89101
Attorney for Plaintiff

/s/ Richard Dreitzer
Richard I. Dreitzer, Esq.
Nevada Bar No. 6626
James T. Tucker, Esq.
Nevada Bar No. 12507
300 South Fourth Street, Eleventh Floor
Las Vegas, NV 89101
Attorney for Defendants

13 **ORDER**

14 **IT IS SO ORDERED.**

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16 DATED: 4 / 3 / 2019


17 THE HONORABLE MIRANDA M. DU,
18 UNITED STATES DISTRICT JUDGE
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DISTRICT OF NEVADA**

U.S. EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

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vs.

LUCINDA MANAGEMENT, LLC,
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RESTAURANT, COOPER STREET CLAM &
OYSTER BAR, LLC, and Does 1-5 Inclusive,

Defendant.

Case No.: 2:17-cv-02458-MMD-GWF

CERTIFICATE OF SERVICE

1 I am, and was at the time the herein mentioned mailing took place, a citizen of the
2 United States, over the age of eighteen (18) years and not a party to the above-entitled cause.

3 I am employed in the Legal Unit of the Los Angeles District Office of the United States
4 Equal Employment Opportunity Commission.

5 My business address is U.S. Equal Employment Opportunity Commission, Las Vegas
6 Local Office, 333 Las Vegas Boulevard South, Ste 5560, Las Vegas, NV 89101.
7

8 On the date that this declaration was executed, as shown below, I served the foregoing

9 **SECOND JOINT STIPULATION TO MODIFY THE TERMS OF THE CONSENT**

10 **DECREE** via the Case Management/Electronic Case Filing (CM/ECF) system to:
11

12 Richard I. Dreitzer, Esq.
13 Nevada Bar No. 6626
14 James T. Tucker, Esq.
15 Nevada Bar No. 12507
16 Wilson, Elser, Moskowitz, Edelman & Dicker, LLP
17 300 South Fourth Street, Eleventh Floor
18 Las Vegas, NV 89101
19 (702)727-1400
20 Richard.dreitzer@wilsonelser.com
21 James.tucker@wilsonelser.com

22 I declare under penalty of perjury that the foregoing is true and correct.

23 Executed on April 3, 2019, at Las Vegas, NV.
24

25 /s/ Nechole Garcia
26 NECHOLE GARCIA
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